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Attorneys for Cupertino Electric, Inc.

IN THE UNITED STATES DISTRICT COURT
 THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

☐ Affects PG&E Corporation

☐ Affects Pacific Gas and Electric Company

☒ Affects both Debtors

Bankruptcy Case Nos. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**NOTICE OF PERFECTION OF LIEN
 AND LIEN PRESERVATION
 PURSUANT TO SECTION 546(b)**

COMES NOW Cupertino Electric, Inc. ("CEI") and files this Notice pursuant to 11 U.S.C. § 546(b) of the perfection, maintenance or continuation of perfection of mechanics liens against certain interests in real property as described herein of the Debtors Pacific Gas and Electric Company and/or PG&E Corporation (the "Debtors") pursuant to the laws of the state of California.

In support of this Notice, CEI states the following:

1. Indebtedness. CEI furnished services, goods, materials, supplies, machinery, equipment and labor under contract with TRC Solutions, in connection with improvements at PG&E Halliday Street Substation, 360 Springs Road, Vallejo, CA 94590 (the "Subject Property"), for which services CEI has not been paid. The contract price, reasonable value of the services and

1 resulting principal indebtedness in connection with the unpaid amounts due and owing from
2 Debtors to CEI is not less than \$\$2,082,324.73, together with interest thereon at the highest rate
3 permitted by law from May 15, 2019, attorneys' fees and costs (the "Claim"). The Claim is
4 secured by the statutory lien described below.

5 2. California Lien Claim. CEI timely filed a Mechanics Lien statement (the "Subject
6 Mechanics Lien") against the Subject Property. A copy of the Subject Mechanics Lien is attached
7 as Exhibit A hereto.

8 3. Lien Rights under California Law. The Subject Mechanics Lien is provided by
9 California statute. The California statutes create, and provide for the attachment and enforceability
10 of, a lien against real estate in favor of a person furnishing services or materials under a real estate
11 improvement contract. The lien is to secure the payment of the contract price.

12 4. Lien Perfection under California Law. The Subject Mechanics Lien was timely
13 filed on August 30, 2019, to perfect CEI's lien against the Subject Property, and relates back to
14 the date upon which goods, supplies, or services were first provided.

15 5. Notice. CEI may be required under Cal. Civ. Code Sec. 8460(a) or other applicable
16 state law to file suit or take other actions to (i) perfect, maintain or continue perfection of the
17 Subject Mechanics Lien or (ii) to foreclose the Subject Mechanics Lien. CEI hereby gives this
18 notice in lieu of commencement of such actions in order to perfect, maintain or continue perfection
19 of CEI's interest in the Subject Property pursuant to 11 U.S.C. § 546(b). Without limitation, this
20 Notice is in lieu of the filing of a lawsuit to enforce and/or foreclose the Subject Mechanics Lien,
21 the filing of any lis pendens, or the service of notice on purchasers of the Subject Property. By
22 virtue of this Notice and applicable law, CEI demands adequate protection of its interests in the
23 Subject Property.

24 6. Reservation of Rights. CEI reserves the right to supplement and/or amend this Notice. CEI
25 further reserves all rights under applicable law.

26 DATED: August 30, 2019

DAVIS WRIGHT TREMAINE LLP

27 By /s/ Harvey Schochet
28 Attorney for Cupertino Electric, Inc.

EXHIBIT A

RECORDING REQUESTED BY

CUPERTINO ELECTRIC, INC.

Recorded In Official Records,
Solano County
Doc#: 201900059862
8/30/2019 12:47:18 PM

AND WHEN RECORDED MAIL TO:

Cupertino Electric, Inc.
1132 North Seventh St.
San Jose, CA 95112

Telephone: (408) 808-8000
Fax: (408) 275-8575

MECHANICS LIEN

The undersigned, Cupertino Electric, Inc., Claimant, claims a Mechanics Lien upon the following described real property: Halliday Street Substation, 360 Springs Road, Vallejo, CA 94590.

The sum of \$2,082,324.73, together with interest thereon at the highest rate permitted by law from May 15, 2019, at the latest, is due claimant (after deducting all just credits and offsets) for the following labor, and materials furnished by claimant, Cupertino Electric, Inc.: Labor & Materials for electrical and substation construction work.

Claimant furnished the work and materials at the request of, or under contract with, TRC Solutions, located at 505 Sansome Street, Suite 1600, San Francisco, CA 94111.

The owner(s) and reputed owner(s) of the property is: Pacific Gas & Electric Co./ PG&E Corporation, P.O. Box 770000, San Francisco, CA 94177.


CUPERTINO ELECTRIC, INC.

Date: August 29, 2019

By: 
W.R. Slakey, Chief Financial Officer

VERIFICATION

I, the undersigned, say I am the Chief Financial Officer for Cupertino Electric, Inc., the Claimant of the foregoing Mechanics Lien. I have read said claim of Mechanics Lien and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury of the laws of California that the foregoing is true and correct. Executed on August 29, 2019 at San Jose, California.


W.R. Slakey

**NOTICE OF MECHANICS LIEN
ATTENTION!**

Upon the recordation of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date that mechanics lien is recorded.

The party identified in the mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT www.cslb.ca.gov.

**PROOF OF SERVICE AFFIDAVIT
California Civil Code Section 8416 (a)(7), (c)(1)**

I, Carol A. Bagshawe, declare that I served a copy of the enclosed MECHANICS LIEN and NOTICE OF MECHANICS LIEN by Registered Mail, Certified Mail, or First Class Mail, evidenced by a certificate of mailing, postage prepaid, addressed to the following owner or reputed owner of the property Pacific Gas & Electric Co. / PG&E Corporations, P.O. Box 770000, San Francisco, CA 94177.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed at Oakland, California, on this date: August 30, 2019.


Carol A. Bagshawe